REMARKS

Status of Claims

Claims 3, 12, 14-20 and 22-26 have been amended. Claims 3-26 remain pending in this application following amendment. Applicants respectfully request further examination of the application, as amended.

Objection to Claims 3, 12, 14-20 and 22-26

Claims 3, 12, 14-20 and 22-26 stand objected to because of certain informalities. Applicants have amended these claims as suggested by the Examiner to correct these informalities. Applicants believe these amendments overcome the objections.

Rejection of Claims 12-26 Under 35 U.S.C. §112, ¶ 1

Claim 12-26 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. The Examiner states that the limitation in claim 12 regarding the common data table and performance data table being in communication with the meta-data table are not supported by the specification. Applicants respectfully traverse this rejection.

Figure 1 shows the common data table and performance data table being in communication with the meta-data table via the database report (60) and View (150). The term "in communication with _____" is intended to mean "in communication with _____ via zero or more intermediate elements," as the term is often used by persons skilled in the art (as well as in patent specifications relating to such arts). The term was included in claim 12 with the intent of bolstering the clarity and precision of the claim by noting data communication or flow. However, if the Examiner believes it would be preferable, Applicants would be amenable to deleting this language or, alternatively, adding "via zero or more intermediate elements." Nevertheless, Applicants believe the use of "in communication with" to refer to elements that may be connected either directly to each other or indirectly via one or more intermediate elements is common practice and generally considered clear and unambiguous. Therefore, Applicants respectfully request reconsideration and withdrawal of this rejection.

Rejection of Claims 3-26 Under 35 U.S.C. §102

Claims 3-26 stand rejected under 35 U.S.C. §102(e) as being anticipated by Barry (U.S. Patent Application Publication No. 2005/0216421 of Barry et al.). Applicants respectfully traverse this rejection.

The claims relate to a computer-implemented tool, referred to in Applicants' specification as the Surveillance and Reporting System (SRS), that allows a user to define or customize how statistical performance data relating to the performance of a telecommunication network is presented in a report. The user inputs parameters relating to the information that is to appear in the report and the configuration of the report, and the SRS uses that input to determine what information the user is requesting appear in the report and the locations from which the requested information can be obtained, retrieves the information, and places the information into a report having the requested configuration. Features of the tool and the method by which it operates include, for example, allowing the user to input common data and/or performance data, and the use of meta-data tables to obtain the location of the requested information. All of this is brought out in the claims, as discussed below with regard to the Examiner's statements.

With regard to independent claim 3, the Examiner indicates that Barry teaches a user interface that allows a user to request a network performance report and select its configuration by inputting common data or performance data or both. Applicants respectfully disagree and submit that Barry does not teach any distinction, with regard to a user interface, between what Applicants refer to as "common data" and what Applicants refer to as "performance data." As defined in Applicants' specification, common data refers to data about the network. It is data that does not vary from report to report. It does not change until a user inputs changes, reflecting some change in the network. In contrast, performance data refers to statistical data about the performance of the network. Nowhere does Barry teach or suggest that the user interface provides a distinction between common data and performance data and allows a user to choose whether to input common data parameters or performance data parameters or both.

The Examiner cites Fig. 5 of Barry as showing this feature, but that figure (5a and 5b) shows only customer-selectable telecommunication "services" from which a customer of a telecommunication network service provider can select. It does not

show a user interface that allows a user to specify what Applicants refer to as common data or performance data. The Examiner also cites paragraph 122 of Barry, but that paragraph (the first paragraph of the Detailed Description section) is little more than a broad introductory statement that the invention described therein involves a Web-based suite of software applications that a customer of a telecommunication network service provider can use. (As a side note, the very fact that the system is to be used by a customer of the telecommunication network service provider and not the service provider itself suggests that the user is not to input information regarding the network itself, i.e., "common data.") The Examiner also cites paragraphs 139-141, but those paragraphs discuss only proxies and their servers and their interaction with network databases; nowhere in those paragraphs is anything taught or suggested about a user interface that allows a user to specify common data or performance data as input. The Examiner also cites paragraph 199, but that paragraph relates to security and user access information (e.g., passwords and access hierarchies). Nothing is stated or suggested about the configurations of any user-requested reports or inputting common data as contrasted with performance data. The Examiner further cites paragraph 242, but although that paragraph mentions report "access customization," it appears to relate to a web page for selecting telecommunication line ("access") types (e.g., "800 Business line, 800 wide area telecommunications service," etc.), about which information is to be presented, not for selecting common data relating to aspects of the network itself or to performance data relating to the performance of the network elements. The Examiner further cites paragraph 302, but that paragraph states only that a traffic view system provides access to call detail records, and mentions nothing about what a user can do through the user interface with regard to specifying common data and/or performance data.

Also with regard to independent claim 3, the Examiner indicates that Barry teaches a call statement module that converts the user-input parameters into a database query by using meta-data tables that help determine where information can be found that would be responsive to the user's request for a report. Applicants respectfully disagree. The Examiner cites paragraphs 279-280 as teaching this feature, but those paragraphs teach little more than generating database queries from requests for customer reports. Although it is stated that the customer provides

meta-data descriptions, which are then translated into database queries, the meta-data does not appear to include "network data" that aids location of the information requested for the report, i.e., in relation to the telecommunication network. As well known in the art, "meta-data" is simply a term that refers to information about the (raw) data, and it is common for meta-data to be involved in systems that interface with databases; the mere fact that Barry discloses using meta-data does not in any way teach or suggest the specific type of meta-data tables (i.e., information about the network) and its specific use (i.e., to determine the location of data responsive to a database call statement) recited in claim 3. The Examiner also cites paragraph 318, which relates to Call Data Record database access, and paragraphs 329-330, which again mention Call Data Records and gathering data based upon meta-data requests.

With regard to claim 4, Applicants also disagree with the Examiner's statement that Barry teaches access to both performance data and a common data source containing the common data. As explained above, and as Applicants' specification makes clear, common data is that which describes aspects of the network. Applicants respectfully submit that Barry neither teaches a separate common data source nor allowing a user to configure a report to group the performance data, i.e., statistics, by areas of the network of interest to the managers responsible for those areas or other users. Although the Examiner cites Fig. 21 and paragraphs 313 and 318, Applicants respectfully submit that Fig. 21 and the cited paragraphs relate to the Traffic View Server (TVS) reports and do not appear to teach or suggest having a separate source for common data that describes the network devices to which the reports relate, so as to allow one to group the common and statistical data by management area of the network. Paragraph 313 exhaustively lists various types of TVS reports but states nothing about the merger of common data from a separate source with performance data gathered from the network so as to permit grouping by management area. With regard to claim 5, there is no teaching or suggestion in Barry of having separate files that contain common data and performance data, as Applicants already pointed out above. If the Examiner believes that Fig. 21 shows this and the limitations of claims 4 and 5, it is respectfully requested that the Examiner identify which elements in Fig. 21 are believed to be files that contain common data about network devices and which

elements are believed to be files that contain performance data for those network devices, as Applicants are unable to discern such. It would also be helpful if the Examiner could state where in the lengthy discussion of TVS reports in paragraphs 313 and 318 these features are described.

With regard to claim 6, the Examiner again points to Fig. 21 and paragraphs 313, 318, 319 and 322 as stating that the information in the common data file identifies at least one of the following output parameters: physical location, technology, vendor, commercial sector, market, geographic location, related personnel, and air interface technology. Applicants respectfully request that the Examiner identify which ("at least one") of these parameters is disclosed and where in Fig. 21 and paragraphs 313, 318, 319 and 322. As Applicants pointed out above, paragraph 313 relates to various "TVS reports," not to a database of common data about network elements, and the other paragraphs appear to describe little more than customer data records and statistics. Claim 6 is not anticipated by Barry absent teaching of at least two data files: one that contains at least one of the listed types of common data ("output parameters"), and another that contains performance data for at least one network device to which that common data relates. Claims 7 and 8 are similarly specific as to the performance data and type of network device, respectively, and Applicants fails to see where in the paragraphs the Examiner cites are the recited elements mentioned. Claims 10 and 11, which depend from claim 9, which in turn depends from claim 5, relate to loaders that load data from the sources into the common data and performance data files and are therefore similarly not anticipated.

Independent claim 12 and the claims that depend from it, as well as independent claim 21 and the claims that depend from it, recite limitations similar to those discussed above with regard to independent claim 3 and the claims that depend from it and are therefore believed not anticipated for at least the same reasons discussed above.

In view of the foregoing, reconsideration and withdrawal of this rejection of claims 3-26 is respectfully requested.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all grounds of rejection have been overcome and/or traversed. Applicants therefore respectfully solicit allowance of the application. Should there be any further questions or concerns, the Examiner is urged to telephone the undersigned.

Respectfully submitted,

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